

**CERTIFICATE OF ELECTRONIC
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I hereby certify that this correspondence for Application No. 10/726,329 is being electronically transmitted to Technology Center 3733, via EFS-WEB, on September 26, 2007.

<u>/David H. Brinkman/</u>	<u>9/26/07</u>
David H. Brinkman, Reg. No. 40,532	Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Erik E. Emstad et al.
Serial No.: 10/726,329
Filed: December 1, 2003
Group Art Unit: 3733
Confirmation No.: 3659
Examiner: Swiger III, James L.
Title: **SPINAL ACCESS INSTRUMENT**
Attorney Docket: ZMS-MI18US

Cincinnati, Ohio 45202

September 26, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))

1. This is a petition for an extension of time to respond to the Office Action mailed on March 26, 2007 for a period of three (3) months.
2. Applicant is

☐ a small entity
☒ other than a small entity

3. Extension of

<u>(months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
___ one month	\$ 120.00	\$ 60.00
___ two months	\$ 450.00	\$225.00
<u>X</u> three months	\$1,020.00	\$510.00
___ four months	\$1,590.00	\$795.00
___ five months	\$2,160.00	\$1,080.00
		Fee <u>\$1,020.00</u>

4. Amendment

☒ is being filed herewith
☐ has been filed on []

5. Fee Payment

☒ See electronic fee calculation sheet.

6. ☐ Charge extension fee of \$_____ to Deposit Account No. 23-3000. A duplicate of this petition is attached.

7. ☒ Charge any additional extension fee required or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

/David H. Brinkman/

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